

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

VCG SPECIAL OPPORTUNITIES
MASTER FUND LIMITED

SUMMONS IN A CIVIL ACTION

V.

CITIBANK, N.A.

CASE NUMBER:

08 CV 01563

TO: (Name and address of Defendant)

CITIBANK, N.A.
399 Park Avenue
New York, N.Y. 10043

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

MINTZ & GOLD LLP
Attention: Terence W. McCormick, Esq.
470 Park Avenue South
10th Floor North
New York, N.Y. 10016-6819

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

FEB 14 2008

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE February 15, 2008
NAME OF SERVER (PRINT) Jacques Marc	TITLE Process Server

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted: Served Summons and Complaint upon Defendant by delivering to Ms. Fern Strauss, Managing Paralegal & Vice President, Office of General Counsel at 388 Greenwich Street, N.Y., N.Y. 10013 at 3:30 p.m.
- ☒ Other (specify): Description: Female, white, brown hair, 5'7" height, approx. 45 yrs old and 130 lbs.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on February 15, 2008 Jacques Marc
Date Signature of Server

Address of Server

470 Park Avenue South
10th Floor North
New York, N.Y. 10016-6819

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

MINTZ & GOLD LLP
Steven G. Mintz (SM 5428)
Terence W. McCormick (TM 2713)
470 Park Avenue South
10th Floor North
New York, N.Y. 10016-6819
Tel: (212) 696-4848
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mintz@mintzandgold.com
mccormick@mintzandgold.com
Attorneys for Plaintiff
VCG Special Opportunities Master Fund Ltd.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X		
VCG SPECIAL OPPORTUNITIES	:	
MASTER FUND LIMITED,	:	08 CV 01563
	:	
Plaintiff,	:	<u>AFFIDAVIT OF SERVICE</u>
	:	
- against -	:	
	:	ECF CASE
CITIBANK, N.A.,	:	
	:	
Defendant.	:	
-----X		

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

JACQUES MARC, being duly sworn, deposes and says:


1. I am over the age of eighteen (18) years. I am not a party to this action, and I reside in Brooklyn, New York.
2. On this 15th day of February, 2008, at approximately 3:30 p.m., I served the Summons, Complaint and Disclosure Statement Under Rule 7.1 in the above-captioned action upon the Defendant, Citibank, N.A., by personally delivering true copies of the same to Ms. Fern Strauss, who identified herself as the Managing Paralegal and Vice President, Office of the General Counsel, of the Defendant, Citibank, N.A., at 388 Greenwich Street, New York, NY 10013. Ms. Strauss stated that she was authorized to accept service of these documents on behalf

of Citibank Bank, N.A.

3. Ms. Strauss is female of approximately 45 years of age, has white skin and brown hair, wears no glasses, stands at approximately 5 feet, 7 inches in height, and weighs approximately 130 lbs. To the best of my knowledge, Ms. Strauss is not in the military service of the United States of America.


Jacques Marc

Sworn to before me this
15th day of February 2008


Notary Public

TERENCE W. McCORMICK
NOTARY PUBLIC, STATE OF NEW YORK
NO. 02MC0106867
QUALIFIED IN QUEENS COUNTY
COMMISSION EXPIRES MARCH 15, 2008